

District Judge Daybook Entry

United States District Court - Southern District of West Virginia at Charleston

Date:	1/11/2024	Case Number:	2:23-cr-00025
Case Style:	USA vs. Benjamin Cisco		
Type of hearing:	Sentencing		
Before the Honorable:	2516-Berger		
Court Reporter:	Lisa Cook	Courtroom Deputy:	Kierstin Tudor
Attorney(s) for the Plaintiff or Government:			
Holly Wilson & Erik Goes			
Attorney(s) for the Defendant(s):			
Wesley Page			
Law Clerk:	Cynthia Wildfire		
Probation Officer:	Kiara Carper		

Court Times

Start Time	End Time	Court Time Description
11:10 AM	12:43 PM	Non-Trial Time/Uncontested Time

Time in court: 1 hours and 33 minutes. Non-Trial Time/Uncontested Time

Courtroom Notes

Scheduled Start 11:00 a.m.

Actual Start 11:10 a.m.

Defendant present in person and by counsel for sentencing as to Counts 1 & 2.
 Counsel note appearances on the record.
 Defendant placed under oath.
 Court addresses plea hearing previously held before Chief Judge Johnston.
 Court addresses elements of the offense.
 Defendant gives his account of the offense.
 Government gives proffer of evidence.
 Pursuant to Defendant's plea of guilty on May 23, 2023, the Court ADJUDGES Defendant guilty of Counts 1 & 2.
 Court addresses PSR and remaining objections.
 Court ADOPTS findings in PSR except as noted.
 Probation to file PSR in court file under seal.
 Court ACCEPTS plea agreement.
 Court makes findings re: applicable U.S.S.G. ranges.
 Court addresses 3553(a) factors and hears from parties re: relevant sentencing issues.
 Counsel speak before sentence is imposed.
 Defendant speaks on his own behalf.
 After considering advisory U.S.S.G. ranges and 3553(a) factors, Court IMPOSES sentence as follows:
 Custody: 41 months
 Supervised Release: 3 years
 Fine: none imposed
 Restitution: \$871,288.34
 Assessment: \$200
 Court states reasons for sentence imposed.
 Defendant advised of right to appeal.
 Counts 3, 4, 5, 6 & 7 are DISMISSED upon motion of Government.
 Defendant RELEASED on prior bond to self-report.
 Court recessed at 12:43 p.m.